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January 13, 2006

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

**Re: Ex Parte Presentation
ET Docket No. 04-295**

Dear Ms. Dortch:

On Thursday, January 12, 2006, Sheldon Steinbach and Terry Hartle of the American Council on Education, Mark Luker of EDUCAUSE, Douglas Carlson of New York University, and Barry Blonien and the undersigned from Latham & Watkins met with the following representatives of the Wireline Competition Bureau and Office of General Counsel regarding the Commission's First Report and Order and Notice of Proposed Rulemaking in ET Docket No. 04-295: Thomas Navin, Marcus Maher, Carol Simpson, Renee Crittendon, and Denise Coca of WCB, and Matthew Berry, Joseph Palmore, and Daudeline Meme of OGC. Pursuant to Section 1.1206 of the Commission's rules, a copy of this letter is being filed via ECFS with your office.

The purpose of the meeting was to reiterate the points made in the Comments and Reply Comments of the Higher Education Coalition seeking a clarification that CALEA does not apply to private broadband networks operated by higher education and research institutions or, in the alternative, an exemption pursuant to Section 102(8)(C)(ii) of CALEA.

LATHAM & WATKINS LLP

Please contact the undersigned if you have any questions regarding this notice.

Sincerely,

/s/ Matthew A. Brill

Matthew A. Brill
Counsel for the Higher Education Coalition

cc: Thomas Navin
Denise Coca
Renee Crittendon
Marcus Maher
Carol Simpson
Sam Feder
Matthew Berry
Joe Palmore
Daudeline Meme
Michelle Carey